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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Koichiro Hori et al.
For: Endoscope With Position Display For Zoom Lens
Unit And Imaging Device
Serial No.: 09/478,231
Filing Date: 01/03/00
Group Art Unit: 3739
Examiner: J. Leubecker
Attorney's Docket No.: OKTA-6 RE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
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10 August 2000

(DATE OF DEPOSIT)

Nicholas A. Pandiscio

(NAME OF ATTORNEY)

Nicholas A. Pandiscio

(SIGNATURE)

8/11/00

(DATE OF SIGNATURE)

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

AMENDMENT "A"

This is in response to the Official Action issued July 20, 2000 wherein the Examiner indicated that the above-identified application is in condition for allowance, except that the application would not be allowed unless or until the original patent grant is returned, or an affidavit or declaration as to the loss or inaccessibility of the original patent, is filed, within two (2) months from the date of issuance of the Official Action.

Submitted herewith is an Declaration, signed by the President of Vista Medical Technologies, Inc., the assignee of the above-identified application and U.S. Patent No. 5,662,584, attesting to the fact that a diligent search has been made to locate the original patent, but the search has been unsuccessful. Accordingly, the patent is deemed to be lost.

It is believed that the enclosed Declaration fully complies with the requirements of 37 C.F.R. 1.178.

Accordingly, it is believed that issuance of a Notice of Allowance would be proper, and such allowance is respectfully solicited.

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If any fee is required in connection with this matter, please charge the same
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicholas A. Pandiscio". The signature is fluid and cursive, with a large initial "N" and a long, sweeping underline.

Nicholas A. Pandiscio
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